IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND SEVEN
: PRESENT :
THE HON'BLE SRI JUSTICE: **NOOTY RAMAMOHANA RAO**

WRIT PETITION No. 30687 of 1997

Between:
N.Sugunamma, W/o. Late Shri N.Gauraiah.

..... Petitioner

AND

The Singareni Collieries Co. Ltd., rep. by its General Manager, Rg. I Area, Godavarikhani, Karimnagar District.

Respondent

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or order or direction, especially one in the nature of Writ of Mandamus:

(i) declaring the action of the respondent in not providing any suitable employment to the petitioner on compassionate grounds and also not disbursing the service benefits of her late husband's as illegal and arbitrary;

(ii) direct the respondent to provide suitable employment to the petitioner, duly paying all the service benefits of her late husband.

The Petition coming on for admission upon perusing the petition and the affidavit filed herein and upon hearing the arguments of Sri K.Vasudeva Reddy, Advocate for the Petitioner and of Sri K.Srinivasa Murthy, Advocate for the Respondent.

The Court made the following **ORDER:**

" This writ petition has been instituted by the widow of Sri Gauraiah, who worked as a Timber man of GDK-5A Incline, Singareni Collieries Company Limited, Godavarikhani, who appears to have died in a mine accident that occurred on 12-07-1996.

The grievance of the writ petitioner is that the respondent-Company had not provided employment to the writ petitioner on compassionate grounds nor did they pay her the benefits that accrue due to the employment of her late husband with the respondent-Company. It has been asserted by the writ petitioner that she submitted a detailed representation to the respondent on 07-12-1996 and finding no response thereto, she got served a legal notice on 27-10-1997, for which also there is no response.

Though the writ petition has been instituted on 19-11-1997, and though the respondent has been served, they have not moved in the matter at all nor was any representation made on their behalf when the matter is called today. Instead of allowing the writ petition as it is not opposed and contested, with a view to provide an opportunity to the respondent to answer the questions raised in the writ petition, the respondent is directed to be present in the Court personally on 13-04-2007 at 10.30 A.M. and answer the same. Since prima facie, the respondent is guilty of abnormal delay in filing the counter-affidavit in the matter, he shall be present in the Court at his own expense without bothering the Singareni Collieries Company with any accountability of responsibility for his attending the Court. Respondent must also come prepared as to why he be not held accountable and mulcted with an additional amount by way of payment of interest for the delay in settling the terminal benefits of the deceased husband of the writ petitioner, which might be ordered to be recovered from his salary and allowances.

..2..

List on 13-04-2007."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The General Manager, Singareni Collieries Co. Ltd., Rg. I Area, Godavarikhani, Karimnagar District. (**By Speed Post with a direction to be present before this Court personally on 13-04-2007 at 10.30 A.M.**)
2. One CC to Sri K.Vasudeva Reddy, Advocate(OPUC)
3. One spare copy.

SAH

HIGH COURT

NRRJ

DATED: 29-03-2007

NOTE: LIST ON 13-04-2007

ORDER

WP.NO. 30687 OF 1997

DIRECTION

DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 29-03-2007

HIGH COURT

NRRJ

DATED: 29-03-2007

NOTE: LIST ON 13-04-2007

ORDER

WP.NO. 30687 OF 1997

DIRECTION